

CITY OF SANTA FE, NEW MEXICO

RESOLUTION 2016-__

INTRODUCED BY:

Councilor Christopher M. Rivera	Councilor Ronald S. Trujillo
Mayor Javier M. Gonzales	Councilor Peter N. Ives
Councilor Carmichael Dominguez	Councilor Patti Bushee

A RESOLUTION

CONTRIBUTING PROPERTY AND RESOURCES TO NEW MEXICO INTER-FAITH HOUSING COMMUNITY DEVELOPMENT CORPORATION FOR DEVELOPMENT OF THE SANTA FE ARTS+CREATIVITY CENTER LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT.

WHEREAS, it is the policy of the City of Santa Fe to provide incentives and encourage proposals that support the production, acquisition and redevelopment of rental housing in mixed income developments; and

WHEREAS, the City's Housing Needs Assessment (2013) identified an urgent need for rental housing serving households below fifty percent of area median income; and

WHEREAS, the planning and predevelopment of the Santa Fe Arts + Creativity Center Low Income Housing Tax Credit Project (the "Project") has been supported by City Council Resolutions 2014-13 and 2015-24; and

WHEREAS, the city intends to donate a parcel of land as shown in the attached Exhibit A of a size that is sufficient for the Project which will serve households earning from thirty to sixty percent

1 of median income, with at least fifty affordable live/work rental units, and a portion of market rate
2 live/work rental units not to exceed fifteen percent of the total project, dedicated outdoor amenities,
3 green space, and shared facilities for residents; and

4 **WHEREAS**, the land that the City intends to donate for the Project is located in both a
5 majority Low- and Moderate-Income Census Tract and a Qualified Census Tract as designated by the
6 U.S. Department of Housing and Urban Development; and

7 **WHEREAS**, the proposed land donation and the Project conform to the City of Santa Fe
8 Five-Year Strategic Housing Plan "Affordable Housing Element" adopted in conformance to the
9 Affordable Housing Act by Ordinance No. 2007-23 pursuant to the express statutory authority
10 conferred upon municipalities to enact a housing code pursuant to Section 3-17-6A(8) NMSA 1978;
11 to enact ordinances pursuant to its police power, Section 3-17-1 B NMSA 1978; to provide for
12 affordable housing pursuant to subsections E and F of Art. 9, §14, of the New Mexico Constitution
13 and the Affordable Housing Act (§§ 10-6-27-1 through 10-6-27-8 NMSA 1978) and in particular to
14 provide a portion of the cost of financing and/or authorizing housing assistance grants for the purpose
15 of affordable housing pursuant to Section 10-6-27-5 NMSA 1978 (2007), and pursuant to any and all
16 such other authority as may be applicable including but not limited to the city's recognized authority
17 to protect the general welfare of its citizens; and

18 **WHEREAS**, the City also intends to provide additional donations related to City
19 development water budget fees, impact fees, construction permit and plan review fees, water and
20 wastewater utility expansion charges and other valuable incentives to the Project; and

21 **WHEREAS**, the above referenced donations will be contributed to the Project without debt
22 or interest pursuant to the terms of a land use regulatory agreement.

23 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
24 **CITY OF SANTA FE** that the City will provide to the Project the donations as described above in an
25 amount equal to at least ten percent (10%) of the Project's development costs as a direct grant to the

1 Project in furtherance of a competitive LIHTC application. The City's donations shall be made in the
2 form of a grant subject to the terms of a land use regulatory agreement requiring an affordability
3 period of forty-five (45) years running concurrently with requirements imposed by the New Mexico
4 Mortgage Finance Authority and specifying the requirement for consistency with the Low Income
5 Housing Tax Credit program requirements serving targeted low income clientele.

6 **BE IT FURTHER RESOLVED** that City staff is directed to work with the Project
7 developer to bring forward to the governing body an application to rezone the donated parcel to an
8 appropriate commercial zoning category to accommodate the proposed uses for the site, including
9 multi-family residential and shared community spaces.

10 **AND, BE IT FURTHER RESOLVED** that the City Council of the City of Santa Fe hereby
11 directs city staff to provide an executed copy of this resolution to Santa Fe County.

12
13 PASSED, APPROVED and ADOPTED, this _____ day of _____, 2016.

14
15 _____
16 JAVIER M. GONZALES, MAYOR

17 ATTEST:

18 _____
19 YOLANDA Y. VIGIL, CITY CLERK

20
21 APPROVED AS TO FORM:

22 _____
23 KELLEY A. BRENNAN, CITY ATTORNEY

24
25 *M/Legislation/Resolutions 2016/Arts+Creativity Center*